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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/657,427	09/08/2003	Scott Anthony Arvin	G&C 30566.307-US-U1	9022

55895 7590 12/28/2006
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EXAMINER

WATT, CHRIS A

ART UNIT	PAPER NUMBER
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2174

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/28/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/657,427

Applicant(s)

ARVIN, SCOTT ANTHONY

Examiner

Chris Watt

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>1/5/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The cover letter for the Information Disclosure Statement received 1/05/2004 has been reviewed by the examiner. However, Form PTO-1449 referred to in the cover letter appears to be missing. A copy of this document should be sent with any response to this action received.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wallace et al. ("Wallace" US Patent No. 5,861,889) in view of Gardner et al. ("Gardner" US Patent No. 6,959,424) and Chekerylla et al. ("Chekerylla" US Patent No. 6,084,598).

Regarding independent claim 1 Wallace teaches A method for temporarily (i.e. col. 14 lines 2-3 of Wallace : " Also, a highlighted temporary knob handle 212 is generated as described below") displaying information relating (i.e. col. 2 lines 53-55 of Wallace : " The frame handles facilitate, among other things, movement of the sphere relative to the displayed object") to a manipulator (i.e. col. 2 lines 61-63 of Wallace : "when the mouse is manipulated, the pointer changes from its pointer nominal representation"). Wallace does not teach that the manipulator is for an object or that the graphic object is in a computer graphics program.

Gardner teaches displaying information (i.e. col. 3 lines 58-60 of Gardner : " The additional visually perceivable information remains perceivable to the person as long as the cursor remains on the selected sub-area") relating (i.e. col. 7 lines 29-31 of Gardner : " If the user is interested in learning more about an image 120 displayed on the web page, the user can interact with the mouse to move the cursor 110 to the image 120") to an object (i.e. col. 3 lines 4-7 of Gardner : " The phrase "to click on" means to select an object displayed on the video display terminal by moving the mouse pointer to the position of the object and clicking a mouse button") manipulator (i.e. col. 2 lines 60-66 of Gardner : " To select items or to choose commands displayed on a video display terminal traditionally requires that the user manipulate the mouse or other device to place the pointer or the cursor proximate to the desired target, and press one or more mouse buttons or other actuators to produce a "click" to indicate some action").

Gardner further teaches displaying an object manipulator (i.e. col. 2 lines 60-66 of Gardner : " To select items or to choose commands displayed on a video display terminal traditionally requires that the user manipulate the mouse or other device to place the pointer or the cursor proximate to the desired target, and press one or more mouse buttons or other actuators to produce a "click" to indicate some action") on the graphic object (i.e. col. 3 lines 4-7 of Gardner : " The phrase "to click on" means to select an object displayed on the video display terminal by moving the mouse pointer to the position of the object and clicking a mouse button") receiving cursor input wherein a cursor is placed over the object manipulator (i.e. col. 2 lines 60-66 of Gardner : " To select items or to choose commands displayed on a video display terminal traditionally

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requires that the user manipulate the mouse or other device to place the pointer or the cursor proximate to the desired target, and press one or more mouse buttons or other actuators to produce a "click" to indicate some action") and temporarily displaying information relating to the object manipulator (i.e. col. 3 lines 58-60 of Gardner : " The additional visually perceivable information remains perceivable to the person as long as the cursor remains on the selected sub-area"). It would have been obvious to an artisan at the time of the invention to combine the object manipulator of Gardner with the temporary information display of Wallace to allow " the additional visually perceivable information" to be "provided without requiring other action by the person" (col. 3 lines 50-52 of Gardner). Gardner does not teach displaying a graphic object in a computer graphics program.

Chekerylla teaches displaying a graphic object in a computer graphics program (i.e. col. 1 of Chekerylla : " Computer graphics programs that allow a user to modify digital images are well known in the art"). It would have been obvious to an artisan at the time of the invention to combine the computer graphics program of Chekerylla with the object manipulator of Gardner and the temporary information display of Wallace "for modifying stored and displayed images" (col. 1 lines 11-12 of Chekerylla).

Regarding dependent claim 2, see the analysis of claim 1 above. Chekerylla and Gardner, in combination with Wallace, further teach the method of claim 1 wherein the information is displayed without activating the object manipulator (i.e. col. 2 lines 1-3 of Chekerylla : " when the user interrupts an operation to zoom, the user can now resume the prior operation without any additional input").

Regarding dependent claim 3, see the analysis of claim 1 above. Chekerylla and Gardner, in combination with Wallace, further teach the method of claim 1 wherein temporarily displaying the information comprises changing a color of the object manipulator (i.e. col. 8 lines 52-55 of Wallace : " At step 312, the interior of the selected frame orientation knob handle 222 changes color and mouse pointer C changes to have the grasping hand movement representation").

Regarding dependent claim 4, see the analysis of claim 1 above. Chekerylla and Gardner, in combination with Wallace, further teach the method of claim 1 wherein the information comprises a value (i.e. col. 6 lines 27-28 of Chekerylla : " The region outline is erased by inverting the pixels back to their original values") of a property (i.e. col. 14 lines 30-32 of Gardner : " it provides a frame within a visual display wherein a primary image displayed within the frame has substantially similar image properties") to be modified by the object manipulator (i.e. col. 5 lines 61-62 of Chekerylla : " References are made to images and to the changes that are made to an image to produce an altered or modified image").

Regarding dependent claim 5, see the analysis of claim 4 above. Chekerylla and Gardner, in combination with Wallace further teach the method of claim 4 wherein the property comprises a dimensional property (i.e. col. 9 lines 53-56 of Wallace : " If the axis handle 218 was not previously highlighted, any dimensioning information appearing on screen 22 is cleared (step 374) prior to entering the object constrained translation movement mode at step 372").

Regarding dependent claim 6, see the analysis of claim 1 above. Chekerylla and Gardner, in combination with Wallace further teach the method of claim 1 wherein the information comprises graphics indicating a potential change (i.e. col. 19 lines 12-14 of Wallace : " wherein the pointer movement representation is visually indicative of a potential direction of movement of the displayed object") to a state of the graphic object (i.e. col. 14 lines 45-48 of Chekerylla : " In all cases, the computer program of this invention displays advisory prompts on the bottom of the window to indicate to the user what the current state of the system is and what action is expected").

Regarding dependent claim 7, see the analysis of claim 6 above. Chekerylla and Gardner, in combination with Wallace further teach the method of claim 6 wherein the potential change comprises potential results of interacting with the object manipulator (i.e. col. 5 lines 1-4 of Wallace : " As will be described in more detail hereinafter, the graphics tool which provides the sphere image results from computerized execution of a specialized graphics "tool object"").

Regarding dependent claim 8, see the analysis of claim 1 above. Chekerylla and Gardner, in combination with Wallace further teach the method of claim 1 wherein the information comprises a function of the object manipulator (i.e. col. 6 lines 46-47 of Gardner : " Hot spots 100 are those areas of a graphic object or a section of text that are capable of enabling associated functions when activated").

Regarding dependent claim 9, see the analysis of claim 8 above. Chekerylla and Gardner, in combination with Wallace further teach the method of claim 8 wherein the function comprises a name (i.e. col. 9 lines 36-37 of Chekerylla : " The character data

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input includes image manipulation program file names") of a property the object manipulator is used to modify (i.e. col. 5 lines 61-62 of Chekerylla : " References are made to images and to the changes that are made to an image to produce an altered or modified image").

Regarding dependent claim 10, see the analysis of claim 1 above. Chekerylla and Gardner, in combination with Wallace further teach the method of claim 1 wherein the information is displayed in a text (i.e. col. 17 lines 63-64 of Wallace : " At step 1200, the user moves pointer C over the text of the dimension") message box (i.e. col. 17 lines 25-26 of Wallace : " At step 1114 a dialog box M2 is displayed").

Regarding dependent claim 11, see the analysis of claim 1 above. Chekerylla and Gardner, in combination with Wallace further teach the method of claim 1 wherein the information comprises a method used to modify a function of the object manipulator (i.e. col. 15 lines 58-60 of Chekerylla : " The program of this invention provides a user with a method for stretching, flipping, and copying a region of an image").

Regarding dependent claim 12, see the analysis of claim 1 above. Chekerylla and Gardner, in combination with Wallace further teach the method of claim 1 wherein the information is displayed immediately when the cursor is located over the object manipulator (i.e. col. 4 lines 29-33 of Gardner : " The person is enabled to control the cursor to position the cursor on said sub-area of the primary image to provide a selected sub-area whereupon the person is automatically provided with additional visually perceivable information associated with the selected sub-area")

Regarding dependent claim 13, see the analysis of claim 1 above. Chekerylla and Gardner, in combination with Wallace, further teach the method of claim 1 wherein the information is displayed after a period of time has passed with the cursor located over the object manipulator (i.e. col. 30 lines 48-53 of Chekerylla : " displaying said initial representation for a predetermined time period and displaying said initial representation for said predetermined time period")

Regarding dependent claim 14, see the analysis of claim 1 above. Chekerylla and Gardner, in combination with Wallace, further teach the method of claim 1 wherein the information is hidden from display after a period of time has passed (i.e. col. 5 lines 53-55 of Chekerylla : " In this case, the software would have to implement a timer or a dual start/stop control to support the momentary display of the original image").

Regarding dependent claim 15, see the analysis of claim 1 above. Chekerylla and Gardner, in combination with Wallace further teach the method of claim 1 wherein the information remains displayed until a user activates the object manipulator (i.e. col. 7 lines 41-45 of Gardner : " A link can be provided in the image 120 so that when the cursor 110 is located in an area defined by the image 120 the user can click on a mouse button to thereby request access to another web page or another URL address as is conventionally understood").

Regarding dependent claim 16, see the analysis of claim 1 above. Chekerylla and Gardner, in combination with Wallace further teach the method of claim 1 wherein the information remains displayed until the cursor is moved off of the object manipulator

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(i.e. col. 7 lines 38-40 of Gardner : " In the latter case the image 120 is maintained until the cursor is moved from both the image 120 and the hot spot 100").

Claim 17 is similar in scope to claim 1, differing primarily in that claim 17 is directed towards an apparatus and claim 1 is directed toward a method, and is therefore rejected under similar rationale.

Claim 18 is similar in scope to claim 2, differing primarily in that claim 18 is directed towards an apparatus and claim 2 is directed toward a method, and is therefore rejected under similar rationale.

Claim 19 is similar in scope to claim 3, differing primarily in that claim 19 is directed towards an apparatus and claim 3 is directed toward a method, and is therefore rejected under similar rationale.

Claim 20 is similar in scope to claim 4, differing primarily in that claim 20 is directed towards an apparatus and claim 4 is directed toward a method, and is therefore rejected under similar rationale.

Claim 21 is similar in scope to claim 5, differing primarily in that claim 21 is directed towards an apparatus and claim 5 is directed toward a method, and is therefore rejected under similar rationale.

Claim 22 is similar in scope to claim 6, differing primarily in that claim 22 is directed towards an apparatus and claim 6 is directed toward a method, and is therefore rejected under similar rationale.

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Claim 23 is similar in scope to claim 7, differing primarily in that claim 23 is directed towards an apparatus and claim 7 is directed toward a method, and is therefore rejected under similar rationale.

Claim 24 is similar in scope to claim 8, differing primarily in that claim 24 is directed towards an apparatus and claim 8 is directed toward a method, and is therefore rejected under similar rationale.

Claim 25 is similar in scope to claim 9, differing primarily in that claim 25 is directed towards an apparatus and claim 9 is directed toward a method, and is therefore rejected under similar rationale.

Claim 26 is similar in scope to claim 10, differing primarily in that claim 26 is directed towards an apparatus and claim 10 is directed toward a method, and is therefore rejected under similar rationale.

Claim 27 is similar in scope to claim 11, differing primarily in that claim 27 is directed towards an apparatus and claim 11 is directed toward a method, and is therefore rejected under similar rationale.

Claim 28 is similar in scope to claim 12, differing primarily in that claim 28 is directed towards an apparatus and claim 12 is directed toward a method, and is therefore rejected under similar rationale.

Claim 29 is similar in scope to claim 13, differing primarily in that claim 29 is directed towards an apparatus and claim 13 is directed toward a method, and is therefore rejected under similar rationale.

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Claim 30 is similar in scope to claim 14, differing primarily in that claim 30 is directed towards an apparatus and claim 14 is directed toward a method, and is therefore rejected under similar rationale.

Claim 31 is similar in scope to claim 15, differing primarily in that claim 31 is directed towards an apparatus and claim 15 is directed toward a method, and is therefore rejected under similar rationale.

Claim 32 is similar in scope to claim 16, differing primarily in that claim 32 is directed towards an apparatus and claim 16 is directed toward a method, and is therefore rejected under similar rationale.

Claim 33 is similar in scope to claim 1, differing primarily in that claim 33 is directed towards an article of manufacture and claim 1 is directed toward a method, and is therefore rejected under similar rationale.

Claim 34 is similar in scope to claim 2, differing primarily in that claim 34 is directed towards an article of manufacture and claim 2 is directed toward a method, and is therefore rejected under similar rationale.

Claim 35 is similar in scope to claim 3, differing primarily in that claim 35 is directed towards an article of manufacture and claim 3 is directed toward a method, and is therefore rejected under similar rationale.

Claim 36 is similar in scope to claim 4, differing primarily in that claim 36 is directed towards an article of manufacture and claim 4 is directed toward a method, and is therefore rejected under similar rationale.

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Claim 37 is similar in scope to claim 5, differing primarily in that claim 37 is directed towards an article of manufacture and claim 5 is directed toward a method, and is therefore rejected under similar rationale.

Claim 38 is similar in scope to claim 6, differing primarily in that claim 38 is directed towards an article of manufacture and claim 6 is directed toward a method, and is therefore rejected under similar rationale.

Claim 39 is similar in scope to claim 7, differing primarily in that claim 39 is directed towards an article of manufacture and claim 7 is directed toward a method, and is therefore rejected under similar rationale.

Claim 40 is similar in scope to claim 8, differing primarily in that claim 40 is directed towards an article of manufacture and claim 8 is directed toward a method, and is therefore rejected under similar rationale.

Claim 41 is similar in scope to claim 9, differing primarily in that claim 41 is directed towards an article of manufacture and claim 9 is directed toward a method, and is therefore rejected under similar rationale.

Claim 42 is similar in scope to claim 10, differing primarily in that claim 42 is directed towards an article of manufacture and claim 10 is directed toward a method, and is therefore rejected under similar rationale.

Claim 43 is similar in scope to claim 11, differing primarily in that claim 43 is directed towards an article of manufacture and claim 11 is directed toward a method, and is therefore rejected under similar rationale.

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Claim 44 is similar in scope to claim 12, differing primarily in that claim 44 is directed towards an article of manufacture and claim 12 is directed toward a method, and is therefore rejected under similar rationale.

Claim 45 is similar in scope to claim 13, differing primarily in that claim 45 is directed towards an article of manufacture and claim 13 is directed toward a method, and is therefore rejected under similar rationale.

Claim 46 is similar in scope to claim 14, differing primarily in that claim 46 is directed towards an article of manufacture and claim 14 is directed toward a method, and is therefore rejected under similar rationale.

Claim 47 is similar in scope to claim 15, differing primarily in that claim 47 is directed towards an article of manufacture and claim 15 is directed toward a method, and is therefore rejected under similar rationale.

Claim 48 is similar in scope to claim 16, differing primarily in that claim 48 is directed towards an article of manufacture and claim 16 is directed toward a method, and is therefore rejected under similar rationale.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chris Watt whose telephone number is (571) 270-1046. The examiner can normally be reached on Monday-Thursday 6:30-4:00 Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 276-5619. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

\Chris A. Watt\

December 18, 2006

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